



# BOARD OF COUNTY COMMISSIONERS SHELBY COUNTY, TENNESSEE

## A G E N D A

August 28, 2006

10/12/2006 4:18 PM

*Commissioner Tom Moss, Chairman  
Commissioner Joe Ford, Chairman Pro Tempore  
Commissioner Marilyn Loeffel  
Commissioner George Flinn  
Commissioner John Willingham  
Commissioner Walter Bailey, Jr.*

*Commissioner Julian T. Bolton  
Commissioner Deidre Malone  
Commissioner Cleo Kirk  
Commissioner Joyce Avery  
Commissioner David Lillard  
Commissioner Bruce Thompson*

1:30 P.M. COMMISSION CONVENES

CALL TO ORDER Deputy Sheriff James Gladney

INVOCATION Commissioner Loeffel

PLEDGE OF ALLEGIANCE

ROLL CALL

### Approval of Minutes of Previous Sessions

FORD  
ADOPTED August 14, 2006

## C O N S E N T A G E N D A

### Resolutions of Memorial, Sympathy and Commendation

- |                    |    |  |
|--------------------|----|--|
| MOSS<br>ADOPTED    | 1. | Resolution honoring Dr. Jerry Clyde Phillips for forty five years of distinguished service as a physician with the Regional Medical Center at Memphis. |
| LILLARD<br>ADOPTED | 2. | Resolution honoring Commissioner Walter L. Bailey, Jr. for distinguished service to the citizens of Shelby County.                                     |
| FLINN<br>ADOPTED   | 3. | Resolution honoring Commissioner Julian T. Bolton for distinguished service to the citizens of Shelby County.  |
| MALONE<br>ADOPTED  | 4. | Resolution honoring Commissioner Cleo C. Kirk for distinguished service to the citizens of Shelby County.  |

**LILLARD  
ADOPTED**

5. Resolution honoring Commissioner Marilyn Loeffel for distinguished service to the citizens of Shelby County.

**AVERY  
ADOPTED**

6. Resolution honoring Chairman Tom Moss for distinguished service to the citizens of Shelby County.

**MALONE  
ADOPTED**

7. Resolution honoring Commissioner Bruce Thompson for distinguished service to the citizens of Shelby County.

**FLINN  
ADOPTED**

8. Resolution honoring Commissioner John Willingham for distinguished service to the citizens of Shelby County.

#### Ordinances

#### Zoning and Subdivisions

**LOEFFEL  
ADOPTED  
(A-C)**

9. Resolution approving various subdivision contracts, plats, extensions, etc. as recommended by the County Engineer.

#### Reports and/or Resolutions of Standing Committees

**KIRK  
ADOPTED**

10. Resolution approving the sale of eight delinquent tax parcels from Tax Sale(s) 44, 51, 54, 82.2, 89.5, 92.2A, 96.1, and 97.3 pursuant to the provisions of Tennessee Code Annotated, Section 67-5-2507.

**KIRK  
ADOPTED**

11. Resolution to amend the FY 2006 Operating Budget.

**KIRK  
ADOPTED**

12. Resolution approving Amendment Agreement to contract with Konica-Minolta, Inc., for a three (3) month period for rental of copy machines in offices throughout Shelby County Government appropriating said funds in the amount of \$190,176.00 from the FY 2006/2007 O&M Budget.

**KIRK  
ADOPTED**

13. Resolution to convey two delinquent tax parcels to the City of Bartlett for the public purpose of maintaining them as Storm Water Detention Basins.

**KIRK  
ADOPTED**

14. Resolution to approve the purchase of property insurance for Shelby County Government through Pete Mitchell & Associates, Inc., from Factory Mutual Insurance Company for three consecutive periods of one year each, beginning September 1, 2006.

**KIRK  
ADOPTED**

15. Resolution to approve an amendment for temporary staffing services with Olympic Staffing, Inc., in the amount of \$105,000.00 and to appropriate funds in the amount of \$60,000.00 from FY 2006/2007 Information Technology Operating Budget, Account No. 010-201803-6602, Contracted Labor.

**KIRK  
ADOPTED**

16. Resolution amending the FY 2006/2007 Special Revenue Fund for the Tire Recycling Grant, and approving a contract with Mac's Tire Recyclers, Inc., for the collection, hauling, and beneficial end use of waste tires in an amount not to exceed \$550,000.00, appropriating said funds from the FY 2006/2007, Special Revenue Fund for the Tire Recycling Grant.

**LILLARD  
ADOPTED**

17. Resolution to establish FY 2007 Operating Budget in the amount of \$413,480.00 for the Division of Public Works Department of Homeland Security 2004 State Homeland Security Law Enforcement Terrorism Prevention Program Grant.

**LILLARD  
ADOPTED**

18. Resolution appropriating funds in the amount of \$1,000,000.00 from the FY 2006/2007 Budget for CIP Project No. 100150, North Parkway Realignment, for the county's share of the estimated cost of construction for the realignment of North Parkway (SR-1) and Jackson Avenue (SR-14) at Danny Thomas Boulevard (SR-3), Memphis, Shelby County.

**LILLARD  
ADOPTED**

19. Resolution authorizing the mayor to execute an agreement with the State of Tennessee Department of Transportation for the purpose of providing an understanding between the parties of their respective obligations related to the management and funding for the construction of improvements of Fite Road from U.S. Highway 51 (SR-3) to Woodstock Boulevard in Shelby County and appropriating funds in the amount of \$327,000.00 from the 2006/2007 Budget for CIP Project No. 100118, Fite Road.

**LILLARD  
ADOPTED**

20. Resolution authorizing the execution of a lease agreement with TE Products Pipeline Company, LP, ("TEPPCO") for certain lands on Presidents Island as approved by the Board of Commissioners of the Memphis and Shelby County Port Commission on June 22, 2006.

**LILLARD  
ADOPTED**

- 20A. Resolution authorizing the Mayor to enter into a sewer force main encroachment easement with the Tipton – Rosemark Academy.

**LILLARD  
ADOPTED**

- 20B. Resolution authorizing the execution of a series of transactions with Nucor Steel Memphis, Inc., for certain lands in the Frank C. Pidgeon Industrial Park, including

the new harbor, as approved by the Memphis and Shelby County Port Commission on August 23, 2006.

**AVERY  
ADOPTED**

21. Resolution to approve a contract between the Memphis and Shelby County Health Department and the Tennessee Department of Health in the amount of \$1,044,500.00 for the provision of Tennercare Outreach for enrolled children for the period of July 1, 2006 – June 30, 2007, and amend the FY 2006/2007 Operating Budget.

**AVERY  
ADOPTED**

22. Resolution approving the purchase of medical malpractice insurance for the physicians employed by the Memphis and Shelby County Health Department from Mid South Insurance Office, Inc., through State Volunteer Mutual Insurance Company for a premium of \$63,190.60 for a term of one year from September 1, 2006 to September 1, 2007, with an option to renew for three additional one year terms.

**AVERY  
ADOPTED**

23. Resolution to approve a grant from the City of Memphis to the Memphis and Shelby County Health Department in the amount of \$130,500.00 for the purpose of sustainment of response capabilities to weapons of mass destruction and mass casualty incidents from the date of this contract May 31, 2007, amend the FY 2006/2007 Operating Budget and add one (1) new budget, City of Memphis – MMRS.

**THOMPSON  
ADOPTED**

24. Resolution amending the FY 2007 Operating Budget, approving a Residential Drug Treatment Grant Agreement between Shelby County Government and the State of Tennessee, Department of Finance and Administration, Office of Criminal Justice Programs, for the term July 1, 2006 to June 30, 2008.

**THOMPSON  
ADOPTED**

25. Resolution amending the FY 2006/2007 Operating Budget to include the final year of the Stop Violence Against Women Grant in the amount of \$72,833.00.

**THOMPSON  
ADOPTED**

26. Resolution amending the FY 2006/2007 Operating Budget of the Shelby County Drug Court and appropriating additional funds from MPD Grant for federal FY 2006/2007 in the amount of \$100,000.00.

**THOMPSON  
ADOPTED**

27. Resolution approving purchase of an aerial/ladder truck for the Shelby County Fire Department, approving amendment of FY 2006/2007 Budget, approving execution of sales contract from Ferrara and Master Conditional Sales Agreement to Municipal Asset Management, Inc., (Lender), and approving expenditure of funds in the amount of \$584,925.00 to Ferrara Fire Apparatus, Inc., to be paid in annual installments of \$72,395.16 on a ten-year purchase agreement.

THOMPSON ADOPTED	28.	Resolution approving acceptance of funds from FM Global in the amount of \$2,500.00 and amending the FY 2006/2007 Operating Budget for the Division of Public Works, Fire Department.
BAILEY ADOPTED	29.	Resolution to amend an agreement between the City of Memphis, the Memphis Public Library and Information Center, and Shelby County Government for the operation of the East Shelby Branch Library.
MALONE ADOPTED	30.	Resolution to approve Amendment No. 5 to the Shelby County Community Services Agency Low Income Home Energy Assistance Program contract due to additional allocations from the Tennessee Department of Human Services and to amend the FY 2007 Operating Budget.
MALONE ADOPTED	31.	Resolution to approve Amendment No. 5 to the Shelby County Community Services Agency Weatherization Assistance Program contract due to additional allocations from the Tennessee Department of Human Services and to amend the FY 2007 Operating Budget.
MALONE ADOPTED	32.	Resolution to approve amendment to the Shelby County Community Services Agency's Community Services Block Grant Program FY 2007 Operating Budget.
BOLTON ADOPTED	33.	Resolution to appropriate funds in the amount of \$200,000.00 for acquisition and closing costs of land and right-of-way for Wolf River Ecosystem Restoration Project from the FY 2006/2007 CBA Budget for Project No. 101906, Chickasaw Basin Authority, and amending the FY 2006/2007 CIP Budget.
FORD ADOPTED	34.	Resolution receiving and filing the resignation of Commissioner Michael A. Hooks, Sr., from Commission District 3, Position 1, effective August 20, 2006.
FORD ADOPTED	35.	Resolution approving the county mayor's nomination of <u>Bo Bryan</u> for appointment to the Shelby County <i>Agricultural Extension Committee</i> .
FORD ADOPTED	36.	Resolution approving premium changes in the county's healthcare plan effective October 1, 2006.
FLINN ADOPTED	37.	Resolution rescinding previously approved resolution approving Homestead Program transfer of properties and reassigning properties to the Real Estate Office for sale.
FORD ADOPTED	CONSENT AGENDA	

## **R E G U L A R   A G E N D A**

### **Elections, Appointments, and Confirmations**

### **Ordinances**

**AVERY  
ADOPTED**

38.    **ORDINANCE – THIRD READING** – Ordinance to approve and set the salary of the Chairman of the Shelby County Commission for the 2006/2007 term.

### **Zoning and Subdivisions**

**LOEFFEL  
ADOPTED**

39.    **CASE NO. S.N.C. 06-801 CO**  
APPLICANT:       Harrah's Operating Company, LLC

LOCATION:           Beginning on the south side of  
Goodlett Farms Parkway

REQUEST:           Street name change to Seven Star  
Way

Memphis and Shelby County Office of Planning and  
Development recommendation:  
APPROVAL

Memphis and Shelby County Land Use Control Board  
recommendation:  
APPROVAL

(No notice of public hearing or notice letters to  
interested property owners required since there was no  
opposition at the Land Use Control Board.)

### **Reports and/or Resolutions for Standing Committees**

**WILLINGHAM  
(DEFERRED  
TO 09/11/06)**

40.    Resolution approving the retainage of a law firm for the purpose of initiating litigation against PC Sports, M.A. Mortenson Company, and/or Ellerbe Beckett.

### **Announcements/Statements**

### **Adjournment**

**KIRK  
ADOPTED**

41.    Resolution of Adjournment to September 11, 2006, at 2:30 p.m.

**AGENDA # 9**  
**DATE AUGUST 28, 2006**

**9A**

**SUBDIVISION:** CARLYLE PLACE III PD, PHASE ONE (P.D. 04-326 CC)

**DEVELOPER:** TRACY L. AND DERYL G. WILLIAMS, LOIS J. STREET, AND JAMES D. SMITH, JR.

**ACTION:** RESOLUTION TO APPROVE THE PLAT FOR CARLYLE PLACE III P.D., (P.D. 04-326 CC) AND AUTHORIZE THE RECORDING OF THE PLAT

**LOCATION:** WEST SIDE OF PISGAH ROAD; ±1920 FEET SOUTH OF LATTING ROAD

**9B**

**SUBDIVISION:** SHELBY PARK P.D., PHASE 2 (P.D. 03-361 CC)

**DEVELOPER:** TERANSKY, LLC

**ACTION:** RESOLUTION TO APPROVE THE AGREEMENT TO SECURE THE IMPROVEMENTS TO SHELBY PARK P.D., PHASE 2 (P.D. 03-361 CC) AND AUTHORIZE THE RECORDING OF THE PLAT WHEN BONDING PROCEDURES HAVE BEEN FULFILLED

**LOCATION:** SOUTH EAST CORNER OF RALEIGH-LAGRANGE ROAD AND APPLING ROAD

**9C**

**SUBDIVISION:** WOODLANDS OF CORDOVA PD (P.D. 04-357 CC)

**DEVELOPER:** THE WOODLANDS OF CORDOVA, LLC

**ACTION:** RESOLUTION TO APPROVE THE AGREEMENT TO SECURE THE IMPROVEMENTS TO THE WOODLANDS OF CORDOVA P.D. (P.D. 04-357 CC) AND AUTHORIZE RECORDING OF THE PLAT

**LOCATION:** EAST SIDE OF DEXTER LANE; ±590 FEET SOUTH OF RAINSONG COVE

[If you have any questions about this agenda, please call Steve Summerall, Chief Administrator, at 545-4301]